

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Judgment Creditor,

v.

JOSEPH MELI,

Judgment Debtor,

and

BASE ENTERTAINMENT,

Garnishee.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 6/5/23

17 CR 127 (KMW)

**NOTICE OF
SETTLEMENT OF ORDER**

PLEASE TAKE NOTICE that, pursuant to Local Rule 77.1 of the Civil Rules of this Court and the Federal Debt Collection Procedure Act, 28 U.S.C. §§ 3202 and 3205,¹ upon the lack of any timely claim or objection from the judgment debtor, the undersigned presents the attached proposed Final Order of Garnishment to the Clerk of Court, United States District Court, Southern District of New York, 500 Pearl Street, New York, New York 10007 for submission to the Honorable Kimba M. Wood on June 7, 2023

Dated: New York, New York
June 2, 2023

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

By: /s/ Melissa A. Childs
MELISSA A. CHILDS
Assistant United States Attorney

¹ See 18 U.S.C. §§ 3613(a) and (f) (United States enforces criminal judgments in accordance with the practices and procedures for the enforcement of civil judgments under Federal law or State law).

86 Chambers Street, 3rd Floor
New York, New York 10007
Tel.: (212) 637-2711
E-mail: melissa.childs@usdoj.gov

TO: **JUDGMENT DEBTOR**

Adam S. Kaufmann
Lewis Baach Kaufmann
Middlemiss PLLC
405 Lexington Avenue
New York, NY 10174

GARNISHEE

BZ Clarity Holdings LLC
d/b/a Base Entertainment
c/o Nicole M. Marschean
Foley & Lardner LLP
90 Park Avenue
New York, NY 10016

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**FINAL ORDER
OF GARNISHMENT**

WHEREAS, pursuant to the Mandatory Victim Restitution Act, 18 U.S.C. § 3613, and the Federal Debt Collection Procedure Act, 28 U.S.C. § 3205, the United States sought, obtained, and served a writ of garnishment on the garnishee for substantial nonexempt property belonging to or due the judgment debtor, JOSEPH MELI, including but not limited to nonexempt funds payable to Advance Entertainment, a defunct entity owned or controlled by MELI, to collect the restitution owed to the victims of his crime;

WHEREAS, BZ Clarity Holdings LLC d/b/a BASE ENTERTAINMENT answered the writ stating that it has \$268,478.61 in its possession, custody, or control, which represents the final distribution of funds due or owing to Advance Entertainment based on its investment in Base Magic, LLC, the producer and promoter of a Mat Franco show (Magic Reinvented Nightly) in Las Vegas, Nevada (Dkt. 245);

WHEREAS, the United States served MELI with the garnishment process (Dkt. 246), and he has neither requested a hearing nor objected to the garnishee's answer;

WHEREAS, pursuant to the Crime Victim Rights Act, 18 U.S.C. § 3771(a)(6), the victims of MELI's crime have the right to full and timely restitution as provided in law;

WHEREAS, the law provides that the United States may use all available and reasonable means to collect restitution, 18 U.S.C. § 3664(m)(1)(A);

WHEREAS, the law provides that MELI is required to apply substantial resources received from any source to his outstanding restitution during his term of incarceration, 18 U.S.C. § 3664(n), and the Bureau of Prisons is not scheduled to release MELI from his custodial sentence until November 15, 2023, *see* Inmate Locator at <https://www.bop.gov/inmateloc/>; and

WHEREAS, as of June 1, 2023, restitution in the amount of \$56,806,310 remains unpaid;

IT IS HEREBY ORDERED that the garnishee, BZ Clarity Holdings LLC d/b/a BASE ENTERTAINMENT, shall pay to the Clerk of Court the full liquidated value of the property it has in its possession, custody, or control belonging or due and owing to Advance Entertainment, a defunct entity owned or controlled by MELI, as his nonexempt property under 18 U.S.C. § 3613(a).

Payments should be made to "Clerk of Court" with "No. 17 CR 127" written on the face of each payment and mailed to the United States District Court, 500 Pearl Street, Room 120, New York, New York 10007, Attn: Cashier.

Dated: New York, New York
June 5, 2023


UNITED STATES DISTRICT JUDGE